



BOARD OF RULES AND APPEALS
Instructions to Request Exception from Requirements of the
South Florida Building Code
For Historic Buildings

EXCEPTION FROM SOUTH FLORIDA BUILDING CODE (HISTORIC BUILDINGS):

Section 104.10 HISTORIC BUILDINGS

Repairs, alterations and additions necessary for the preservation, restoration, rehabilitation or continued use of a building or structure may be made without conformance to all the requirements of this Code when authorized by the Board of Rules and Appeals and approved by the Building Official provided:

- (a) The building or structure has been designated by official action of the legally constituted authority as having special historical or architectural significance.
- (b) The restored building or structure will be no more hazardous based on consideration of life, fire, and sanitation safety than the original building.
- (c) All approvals be based on submitted plans and specifications from a Florida licensed Architect or registered Professional Engineer.
- (d) The Building Official in the public interest of health, safety and welfare has required all necessary corrections to be made before use and occupancy.
- (e) The Building Official's decision is transmitted in writing to the Board of Rules and Appeals within thirty (30) days where the Board at its next regularly scheduled meeting may on its own initiative review the decision of the Building Official to ensure that adequate criteria have been utilized. The Board may modify, rescind or confirm the decision of the Building Official.

HISTORIC BUILDINGS

The following items **must** be included in your appeal packet in order to be placed on the agenda. Your packet is due **three weeks prior** to the Board of Rules and Appeals meeting.

- ☐ Letter to Hermnio F. Gonzalez, P.E., Secretary, Board of Rules and Appeals, 140 West Flagler Street, Suite 1603, Miami, Florida 33130 requesting to appear before the Board requesting an exception to the South Florida Building Code based on Section 104.10.
Letter must include your name, address, phone number and fax number.
- ☐ Section(s) 340.15 of the Florida Building Code (FBC) requested to be waived.
- ☐ Reason(s) for requesting section(s) to be waived.
- ☐ Explanation of construction methods and materials to be used in lieu of FBC requirements to be waived.
- ☐ A letter from the Building Official stating his/her position on the request.
- ☐ A letter from the Historic Preservation Board stating its position on the request and verifying that the structure under consideration is indeed an historically designated structure. (Note that this letter can be submitted after the Board of Rules and Appeals (BORA) takes action. In this case, the BORA's action will be pending the Historic Preservation Board's approval on the request.
- ☐ Drawings, if applicable
- ☐ If your appeal package is more than 5 pages, you must submit an original plus 30 copies.
- ☐ If you have color photos you wish for the Board to have, you must include 30 copies of each photo.
- ☐ Any other supporting documents.

The BORA discusses and rules on all requests on a case-by-case basis. No precedent has been set in these cases. A presentation will be made by the requesting entity at the BORA meeting and all appropriate personnel should attend.

Please contact Cindy Crespo, Ext. 93309 to find out the date of the next meeting of the Board of Rules and Appeals.